

**CHAPTER 1246****APPROPRIATIONS — EDUCATION***H.F. 2465*

**AN ACT** relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing effective and applicability provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

**DEPARTMENT OF EDUCATION**

Section 1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

**1. GENERAL ADMINISTRATION**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,412,000
.....	FTEs	145.00

**2. VOCATIONAL EDUCATION ADMINISTRATION**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	704,000
.....	FTEs	26.45

**3. VOCATIONAL REHABILITATION DIVISION**

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,459,000
.....	FTEs	307.50

b. For matching funds for programs to enable severely physically or mentally disabled persons to function more independently, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	20,611
.....	FTEs	1.50

**4. CORRECTIONS EDUCATION PROGRAM**

For educational programs at state penal institutions:

.....	\$	1,948,000
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**5. BOARD OF EDUCATIONAL EXAMINERS**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	120,000
.....	FTEs	2.00

**6. SCHOOL FOOD SERVICE**

For use as state matching funds for federal programs which shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,809,000
.....	FTEs	16.00

**7. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS**

To provide funds for costs of providing textbooks to each resident pupil who attends a non-public school as authorized by section 301.1. The funding is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils:

.....	\$	580,000
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8. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

To assist a vocational agriculture youth organization sponsored by the schools to support the foundation established by that vocational agriculture youth organization:

..... \$ 52,000

9. PUBLIC BROADCASTING DIVISION

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,959,000  
 ..... FTEs 96.00

10. COMMUNITY COLLEGES

Notwithstanding chapter 286A, for general state financial aid, including general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13, to merged areas as defined in section 280A.2, for vocational education programs in accordance with chapters 258 and 280A, to purchase instructional equipment for vocational and technical courses of instruction in community colleges, and for salary increases:

..... \$ 90,444,323

The funds appropriated in this subsection shall be allocated as follows:

- a. Merged Area I ..... \$ 4,233,706
- b. Merged Area II ..... \$ 5,106,833
- c. Merged Area III ..... \$ 4,923,558
- d. Merged Area IV ..... \$ 2,316,905
- e. Merged Area V ..... \$ 4,910,817
- f. Merged Area VI ..... \$ 4,602,152
- g. Merged Area VII ..... \$ 6,318,184
- h. Merged Area IX ..... \$ 7,947,083
- i. Merged Area X ..... \$ 12,285,772
- j. Merged Area XI ..... \$ 13,347,163
- k. Merged Area XII ..... \$ 5,207,421
- l. Merged Area XIII ..... \$ 5,360,677
- m. Merged Area XIV ..... \$ 2,372,695
- n. Merged Area XV ..... \$ 7,354,647
- o. Merged Area XVI ..... \$ 4,156,710

Sec. 2. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1993, and ending June 30, 1994, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. Notwithstanding chapter 286A for state financial aid, including general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13, to merged areas to be accrued as income and used for expenditures incurred by the community colleges during the fiscal year beginning July 1, 1992, and ending June 30, 1993:

..... \$ 16,450,231

The funds appropriated in this section shall be allocated as follows:

- a. Merged Area I ..... \$ 777,072
- b. Merged Area II ..... \$ 930,993
- c. Merged Area III ..... \$ 894,475
- d. Merged Area IV ..... \$ 423,103
- e. Merged Area V ..... \$ 897,586
- f. Merged Area VI ..... \$ 836,461
- g. Merged Area VII ..... \$ 1,152,178
- h. Merged Area IX ..... \$ 1,446,020
- i. Merged Area X ..... \$ 2,232,424
- j. Merged Area XI ..... \$ 2,414,311
- k. Merged Area XII ..... \$ 948,649
- l. Merged Area XIII ..... \$ 974,188

m. Merged Area XIV .....	\$	431,773
n. Merged Area XV .....	\$	1,335,675
o. Merged Area XVI .....	\$	755,323

2. Funds appropriated by this section shall be allocated pursuant to this section and paid on or about August 15, 1993.

Sec. 3. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13 to be accrued as income and used for expenditures incurred by the community colleges during the fiscal year beginning July 1, 1991, and ending June 30, 1992:

.....	\$	343,308
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The funds appropriated in this subsection shall be allocated as follows:

a. Merged Area I .....	\$	27,015
b. Merged Area II .....	\$	20,967
c. Merged Area III .....	\$	14,053
d. Merged Area IV .....	\$	9,601
e. Merged Area V .....	\$	24,896
f. Merged Area VI .....	\$	14,311
g. Merged Area VII .....	\$	24,001
h. Merged Area IX .....	\$	28,653
i. Merged Area X .....	\$	40,294
j. Merged Area XI .....	\$	59,072
k. Merged Area XII .....	\$	19,157
l. Merged Area XIII .....	\$	16,988
m. Merged Area XIV .....	\$	8,635
n. Merged Area XV .....	\$	22,816
o. Merged Area XVI .....	\$	12,849

2. Funds appropriated in subsection 1 shall be allocated pursuant to this section and paid on or about August 15, 1992.

Sec. 4. Notwithstanding the appropriation provided in section 294A.25, subsection 1, there is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amount, or so much thereof as may be necessary, to be used for the purpose designated and for not more than the following full-time equivalent position:

1. Notwithstanding section 294A.25, for the educational excellence program:

.....	\$	92,297,891
.....	FTEs	1.00

2. To supplement the appropriation in section 294A.25 for phase II:

.....	\$	563,953
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Sec. 5. Notwithstanding the standing appropriations in section 279.51 for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the amount appropriated from the general fund of the state to the department of education pursuant to that section for the following designated purposes shall not exceed the following amounts for programs for at-risk children under section 279.51, subsection 1:

.....	\$	10,727,640
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During the fiscal year beginning July 1, 1992, the funds appropriated in this section shall be allocated in the same manner as allocated in 1991 Iowa Acts, chapter 267, section 205.

Sec. 6. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

For expenditures incurred by school districts during the previous fiscal year for vocational education aid to secondary schools:

..... \$ 3,483,000

Funds appropriated in this section shall be used for expenditures made by school districts to meet the standards set in sections 256.11, 258.4, and 280A.23 as a result of the enactment of 1989 Iowa Acts, chapter 278. Funds shall be used as reimbursement for vocational education expenditures made by secondary schools in the manner provided by the department of education for implementation of the standards set in 1989 Iowa Acts, chapter 278. The department shall inform school districts by July 1, 1991, of the criteria for reimbursement with funds appropriated under this section.

Sec. 7. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1993, and ending June 30, 1994, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

For expenditures incurred by school districts during the previous fiscal year for vocational education aid to secondary schools:

..... \$ 3,483,000

Funds appropriated in this section shall be used for expenditures made by school districts to meet the standards set in sections 256.11, 258.4, and 280A.23 as a result of the enactment of 1989 Iowa Acts, chapter 278. Funds shall be used as reimbursement for vocational education expenditures made by secondary schools in the manner provided by the department of education for implementation of the standards set in 1989 Iowa Acts, chapter 278.

COLLEGE STUDENT AID COMMISSION

Sec. 8. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 333,000  
..... FTEs 7.80

a. The college student aid commission, in conjunction with the university of osteopathic medicine and health sciences and the state university of Iowa college of medicine, shall conduct a tracking study of the Iowa graduates of the university of osteopathic medicine and health sciences and the Iowa graduates of the state university of Iowa college of medicine. The study shall track Iowa students who graduated from the university and completed their residencies from 1989 through 1992. The study shall ascertain the number of graduates who practice outside of Iowa and the number who practice within Iowa. Of the graduates practicing in Iowa, the study shall determine their reasons for remaining in Iowa; the number of graduates practicing in rural communities, hospitals, or clinics; the number of graduates practicing in urban communities, hospitals, or clinics; the number of graduates practicing in county communities, hospitals, or clinics; the number of graduates who include medical assistance patients and indigent patients in their practice; and the average percentage of medical assistance and indigent patients treated by graduates. The commission shall report the study's findings and recommendations to the general assembly by January 1, 1993.

\*b. The higher education strategic planning council shall conduct a study relating to dental hygienists in Iowa. The study shall determine the following:

- (1) The need for dental hygienists in Iowa.
- (2) The qualifications needed to perform as a dental hygienist in Iowa.
- (3) Cost-effective means to provide the education necessary to supply the state with qualified dental hygienists.\*

\*Item veto; see message at end of the Act

2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

a. For grants to seniors and for forgivable loans to freshmen and sophomores and juniors, who are Iowa students attending the university of osteopathic medicine and health sciences, under the grant program pursuant to section 261.18 and the forgivable loan program pursuant to section 261.19A:

..... \$ 387,000

b. For the university of osteopathic medicine and health sciences for the admission and education of Iowa students in each of the four years of classes at the university of osteopathic medicine and health sciences pursuant to section 261.19:

..... \$ 250,000

3. STUDENT AID PROGRAMS

For payments to students for student aid programs:

..... \$ 1,500,000

From the moneys appropriated in this subsection, \$1,425,651 shall be expended for an Iowa grant program, with funds to be allocated to institutions pursuant to section 261.93A. The remainder shall be allocated for the graduate student financial assistance program.

It is the intent of the general assembly that the college student aid commission reduce the maximum grant and average grant under the state tuition grant program while maintaining the same number of qualified students receiving grants in the fiscal year beginning July 1, 1992, and ending June 30, 1993, as were provided in the previous fiscal year.

Sec. 9. There is appropriated from the loan reserve account to the college student aid commission for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

For operating costs of the Stafford loan program including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,894,741

..... FTEs 36.52

STATE BOARD OF REGENTS

Sec. 10. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,025,000

..... FTEs 16.63

*\*The moneys provided in this paragraph shall not be augmented by reimbursements from the institutions under the control of the state board of regents for the funding of the office of the state board of regents.\**

b. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of northern Iowa to reimburse the institutions for deficiencies in their operating funds resulting from the pledging of tuitions, student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions:

..... \$ 22,927,000

c. For funds to be allocated to the southwest Iowa graduate studies center:

..... \$ 35,000

d. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

..... \$ 68,000

e. For funds to be allocated to the quad-cities graduate studies center:

..... \$ 145,000

\*Item veto; see message at end of the Act

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	168,193,000
.....	FTEs	3,962.27

b. University hospitals

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions for medical and surgical treatment of indigent patients as provided in chapter 255:

.....	\$	27,359,000
.....	FTEs	5,364.14

Funds appropriated in this paragraph shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

(1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.

(2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.

(3) The pregnancy is the result of a rape which is reported within 45 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(4) The pregnancy is the result of incest which is reported within 150 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

The total quota allocated to the counties for indigent patients for the fiscal year commencing July 1, 1992, shall not be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1991. The total quota shall be allocated among the counties on the basis of the 1990 census pursuant to section 255.16.

c. Psychiatric hospital

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions and for the care, treatment, and maintenance of committed and voluntary public patients:

.....	\$	6,517,000
.....	FTEs	284.00

d. Hospital-school

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent support, and for not more than the following full-time equivalent positions:\*

.....	\$	5,133,000
.....	FTEs	165.49

e. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,653,000
.....	FTEs	64.48

\*According to enrolled Act

**f. State hygienic laboratory**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,820,000
.....	FTEs	100.93

**g. Family practice program**

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	1,694,000
.....	FTEs	161.44

**h. Child health care services**

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	402,000
.....	FTEs	11.16

**i. Agricultural health and safety programs**

For agricultural health and safety programs:

.....	\$	238,000
.....	FTEs	3.30

**j. Statewide tumor registry**

For the statewide tumor registry and for not more than the following full-time equivalent positions:

.....	\$	181,000
.....	FTEs	3.44

**k. Substance abuse consortium**

For funds to be allocated to the Iowa consortium for substance abuse research and evaluation:

.....	\$	58,000
.....	FTEs	1.50

**l. Center for biocatalysis**

For the center for biocatalysis:

.....	\$	1,304,874
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**m. National advanced driving simulator**

For the national advanced driving simulator:

.....	\$	272,000
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**3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY**

**a. General university**

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	136,964,000
.....	FTEs	3,612.45

**b. Agricultural experiment station**

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	23,955,396
.....	FTEs	481.43

Of the funds appropriated in this lettered paragraph, \$281,601 shall be used by the school of veterinary medicine for livestock disease research consistent with the recommendation of the livestock health advisory council required by chapter 267.

c. Cooperative extension service in agriculture and home economics

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	16,037,000
.....	FTEs	446.07

Of the funds appropriated in this lettered paragraph, \$24,187 shall be expended for a child farm safety program.

d. Fire service education

For salaries and support and for not more than the following full-time equivalent positions:

.....	\$	397,000
.....	FTEs	11.66

e. Leopold center

For agricultural research grants at Iowa state university under section 266.39B:

.....	\$	572,000
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4. UNIVERSITY OF NORTHERN IOWA

a. For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	58,338,189
.....	FTEs	1,382.93

b. Recycling and reuse center:

.....	\$	244,638
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5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,744,000
.....	FTEs	122.99

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,201,000
.....	FTEs	89.75

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing and transportation costs for students at these schools pursuant to section 270.5:

.....	\$	7,000
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Sec. 11. Reallocations of sums received under section 10, subsections 2, 3, 4, 5, and 6, of this Act, including sums received for salaries, shall be reported on a quarterly basis to the co-chairpersons and ranking members of the legislative fiscal committee and the joint education appropriations subcommittee.

Sec. 12. For the fiscal year beginning July 1, 1992, the state board of regents may use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of six years.

Sec. 13. The department of human services shall implement a supplemental disproportionate share adjustment applicable to state-owned acute care hospitals with more than five hundred beds and shall reimburse qualifying hospitals pursuant to that adjustment with a supplemental amount for services provided medical assistance recipients. The adjustment shall generate payments intended to equal the state appropriation made to a qualifying hospital for treatment of indigent patients as provided in chapter 255. To the extent of the supplemental disproportionate share adjustment payments, a qualifying hospital shall, after receipt of the

funds, transfer to the department of human services an amount equal to the actual supplemental payments that were made in that month. The aggregate amounts for a fiscal year shall not exceed the state appropriation made to the qualifying hospital for treatment of indigent patients as provided in chapter 255. If 1992 Iowa Acts, Senate File 2351,\* becomes law, the department of human services shall deposit the portion of these funds equal to the state share in the department's medical assistance account and the balance shall be credited to the cash reserve fund created under section 8.56, and if 1992 Iowa Acts, Senate File 2351, does not become law, the department of human services shall deposit the portion of these funds equal to the state share in the department's medical assistance account and the balance is transferred and appropriated to the department of management to be spent for the purpose of eliminating Iowa's GAAP deficit. As used in this section, "GAAP" means generally accepted accounting principles as established by the governmental accounting standards board. To the extent that state funds appropriated to a qualifying hospital for the treatment of indigent patients as provided in chapter 255 have been transferred to the department of human services as a result of these supplemental disproportionate share payments made to the qualifying hospital, the department shall not, directly or indirectly, recoup the supplemental disproportionate share adjustment payments made to a qualifying hospital for any reason, unless an equivalent amount of the funds transferred to the department of human services by a qualifying hospital pursuant to this provision is transferred to the qualifying hospital by the department.

If the state supplemental amount allotted to the state of Iowa for the federal fiscal year beginning October 1, 1992, and ending September 30, 1993, pursuant to section 1923 (f)(3) of the federal Social Security Act, as amended, is greater than the amount necessary to fund the federal share of the supplemental disproportionate share payments specified in the preceding paragraph, the department of human services shall increase the supplemental disproportionate share adjustment by the lesser of the amount necessary to utilize fully the state supplemental amount or the amount of state funds appropriated to the university of Iowa general education fund and allocated by the university for the college of medicine. The university of Iowa shall transfer from the allocation for the college of medicine to the department of human services, on a monthly basis, an amount equal to the additional supplemental disproportionate share payments made during the previous month pursuant to this paragraph. A qualifying hospital receiving supplemental disproportionate share payments pursuant to this paragraph that are greater than the state appropriation made to the qualifying hospital for treatment of indigent patients as provided in chapter 255 shall be obligated as a condition of its participation in the medical assistance program to transfer to the university of Iowa general education fund on a monthly basis an amount equal to the funds transferred by the university of Iowa to the department of human services. To the extent that state funds appropriated to the university of Iowa and allocated for the college of medicine have been transferred to the department of human services as a result of these supplemental disproportionate share payments made to the qualifying hospital, the department shall not, directly or indirectly, recoup these supplemental disproportionate share adjustment payments made to a qualifying hospital for any reason, unless an equivalent amount of the funds transferred to the department of human services by the university of Iowa pursuant to this paragraph is transferred to the qualifying hospital by the department.

It is the intent of the general assembly that any implementation of the supplemental disproportionate share adjustment shall preserve the funds available to the university hospital for medical and surgical treatment of indigent patients as provided in chapter 255 and to the university of Iowa for the educational purposes of the college of medicine at the same level as provided by the state funds initially appropriated for that purpose.

The department of human services shall, in any compilation of data or other report distributed to the public concerning payments to providers under the medical assistance program, set forth reimbursements to a qualifying hospital through the supplemental disproportionate share adjustment as a separate item and shall not include such payments in the amounts otherwise reported as the reimbursement to a qualifying hospital for services to medical assistance recipients.

\*Chapter 1227 herein

For purposes of this section, "supplemental disproportionate share payment" means a supplemental payment amount paid for medical assistance to a hospital qualifying for that payment under this section.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 14. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ARTS DIVISION

For salaries, support, maintenance, miscellaneous purposes, including funds to match federal grants, for areawide arts and cultural service organizations which meet the requirements of chapter 303C, and for not more than the following full-time equivalent positions:

.....	\$	1,047,000
.....	FTEs	11.00

2. HISTORICAL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,432,000
.....	FTEs	62.50

Of the funds appropriated in this subsection, \$10,000 shall be allocated for the operating and maintenance costs of the Plum Grove residence of former Governor Lucas.

3. ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent position:

.....	\$	140,000
.....	FTEs	3.00

4. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

.....	\$	720,000
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Not more than one percent of moneys appropriated for grants under this section shall be used for administrative purposes.

OFFICE OF THE GOVERNOR

Sec. 15. TERRACE HILL COMMISSION

There is appropriated from the general fund of the state to the office of the governor for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, for the operation of Terrace Hill, and for not more than the following full-time equivalent positions:

.....	\$	161,000
.....	FTEs	4.75

Sec. 16. Any moneys contained in the artist endowment fund shall revert and be transferred to the general fund of the state on June 30, 1992.

Sec. 17. Notwithstanding section 8.33, funds appropriated in 1991 Iowa Acts, chapter 267, section 210, subsection 1, paragraph "b", remaining unencumbered or unobligated on June 30, 1992, shall not revert to the general fund of the state but shall be available for expenditure for the purposes listed in section 10, subsection 1, paragraph "b", of this Act during the fiscal year beginning July 1, 1992, and ending June 30, 1993.

Sec. 18. Notwithstanding section 261.20, of the unencumbered or unobligated moneys in the scholarship and tuition grant reserve fund, \$33,000 shall be transferred to the state board

of regents for purposes of the southwest Iowa graduate studies center, \$280,040 shall be distributed under the Iowa scholarship program, \$11,209 shall be distributed under the vocational-technical tuition grant program, and \$26,293 shall be distributed under the work-study program by the college student aid commission.

Sec. 19. Notwithstanding section 294A.25, for the fiscal year beginning July 1, 1992, the additional funds transferred from phase I to phase III may be used by the department of education for management information systems, the center for assessment, and the Iowa geography alliance. However, moneys transferred under this section shall not exceed \$275,000. The department shall notify the legislative fiscal bureau as to the distribution of moneys for these programs.

Sec. 20. Notwithstanding sections 302.1 and 302.1A, for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the portion of the interest earned on the permanent school fund that is not transferred to the credit of the first in the nation in education foundation and not transferred to the credit of the national center for gifted and talented education shall be credited as a payment by the historical division of the department of cultural affairs of the principal and interest due on moneys loaned to the historical division under section 303.18.

Sec. 21. Notwithstanding section 321.376, the annual budget request requirement is suspended for the fiscal year ending June 30, 1993, and the moneys collected from fees for the issuance of a school bus driver's permit for the fiscal year beginning July 1, 1992, and ending June 30, 1993, shall be deposited in the department of education's operating fund for the purposes designated under section 321.376, subsection 3.

*\*Sec. 22. 1992 Iowa Acts, Senate File 2116, section 100, subsection 8, is amended to read as follows:*

*8. Appropriations made to school corporations in chapter 257 for state aid to school districts and ~~chapter 286A~~ in 1991 Iowa Acts, chapter 267, section 201, subsections 9 and 10, for state aid to ~~area schools merged areas~~ shall not be reduced under subsection 1.\**

Sec. 23. Section 8.29, unnumbered paragraph 4, Code 1991, is amended to read as follows:

The state board of regents, with the approval of the director of the department of management, shall establish a uniform budgeting and accounting system for the institutions of higher education under its control, and shall require each of the institutions of higher education to begin operating under the uniform system not later than June 30, ~~1976~~ 1994.

Sec. 24. Section 18.136, subsection 3, Code 1991, is amended to read as follows:

3. The financing for the procurement costs for the entirety of Part I of the system, and the video, data, and voice capacity for state agencies for Part II and Part III of the system, shall be provided by the state. The financing for the procurement costs for Part II of the system shall be provided eighty percent from the state and twenty percent from the community colleges for the areas in which Part II of the system is located. The basis for the state match is eighty percent of a single interactive video and interactive audio for Parts I and II of the system, and such data and voice capacity as is necessary. The financing for the procurement and maintenance costs for Part III of the system shall be provided eighty percent from the state and twenty percent from the local school boards of the areas which receive transmissions from the system. The local school boards may meet all or part of the match requirements of Part III of the system through a cooperative arrangement with community colleges. The basis for the state match is eighty percent of a single interactive audio and one-way video for Part III of the system, and such data and voice capacity as is necessary. The local school boards and community colleges may meet the match requirements for Part II and Part III of the system from funds they have already spent for their systems, from funds available in the school budget, or from funds received from other nonstate sources. In the case of existing systems, in order to upgrade facilities to the specifications of the state communications network, the

local school boards and community colleges, in lieu of a cash match, may meet the match requirements from funds they have already spent for their systems provided that the state match does not exceed the lesser of eighty percent of the total cost of the upgraded system or eighty percent of the replacement cost of the system. The communications equipment funds used as a match by a community college shall be calculated based on verified expenditures for capital, equipment, hardware, and software for long-distance learning technologies, including both audio and visual transmission. The communications equipment used as a match shall not subsequently be used as a match by another educational entity or for another part of the system. A local school board may request the school budget review committee to adjust the allowable growth for the school district so that the resulting increase in budget could be used for the match. A local school board may also elect not to become part of the system. Such election shall be made on an annual basis. State matching funds shall not be provided for Part III of the system until Part I and Part II of the system have been completed.

Sec. 25. Section 176A.10, subsection 6, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

An extension council of an extension district may choose to be subject to the levy and revenue limits specified in paragraphs "b" of subsections 1, 2, 3, and 4 and subsection 5 for the purpose of the annual levy for the fiscal year commencing July 1, 1991, which levy is payable in the fiscal year beginning July 1, 1992. Before an extension district may be subject to the levy and revenue limits specified in paragraphs "b" of subsections 1, 2, 3, and 4 and subsection 5, for fiscal years beginning on or after July 1, 1992, which levy is payable in fiscal years beginning on or after July 1, 1993, the question of whether the district shall be subject to the levy and revenue limits as specified in such subsections must be submitted to the registered voters of the district. The question shall be submitted at the time of a state general election. If the question is approved by a majority of those voting on the question the levy and revenue limits specified in paragraphs "b" of subsections 1, 2, 3, and 4 and subsection 5, shall thereafter apply to the extension district. The question need only be approved at one state general election. If a majority of those voting on the question vote against the question, the district may continue to submit the question at subsequent state general elections until approved.

Sec. 26. Section 256.7, Code Supplement 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 22.** Receive and review the budget and unified plan of service submitted by the division of libraries and information services.

Sec. 27. Section 256.9, Code Supplement 1991, is amended by adding the following new subsections:

**NEW SUBSECTION. 46.** Serve as an ex officio member of the commission of libraries.

**NEW SUBSECTION. 47.** Receive, from the division of public broadcasting, and submit an annual public broadcasting budget request separately from the department's annual budget request.

**NEW SUBSECTION. 48.** Establish a division of libraries and information services, a public broadcasting division, and a regional library system, to perform the duties and exercise the responsibilities enumerated in section 256.22.

Sec. 28. **NEW SECTION. 256.22 LIBRARY DIVISION, REGIONAL LIBRARY SYSTEM, LIBRARY COMPACT, STATE DATA CENTER, AND PUBLIC BROADCASTING DIVISION.**

Notwithstanding sections 7E.5, 15.108, 15.272, 18.87, 18.97, 18.100, 218.22, 246.601, 303.1, 303.1A, 303.2, 303.75 through 303.85, 303.91 through 303.94, 303A.8 through 303A.11, chapter 303B, and any provisions to the contrary, the department of education, and its director, shall perform the duties and exercise the authority delegated to the department of cultural affairs, and its director, for purposes of administering the library division, the regional library system, the state data center, the public broadcasting division, and the library compact. Any authority of the department of cultural affairs to adopt rules for the library division, the regional library system, the state data center, and library compact is transferred to the state board of education.

\*Sec. 29. Section 261.1, subsection 5, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

~~Eight~~ Ten additional members to be appointed by the governor. One of the members shall be selected to represent private colleges, private universities and private junior colleges located in the state of Iowa. When appointing this member, the governor shall give careful consideration to any person or persons nominated or recommended by any organization or association of some or all private colleges, private universities and private junior colleges located in the state of Iowa. One of the members shall be selected to represent community colleges located in the state of Iowa. When appointing this member, the governor shall give careful consideration to any person or persons nominated or recommended by any organization or association of Iowa community colleges. One member shall be the executive director of the organization or association that represents all of the students attending the institutions of higher education under the control of the state board of regents. One member shall be enrolled as a student at a board of regents institution, community college, or. One member shall be enrolled as a student at an accredited private institution. One member shall be a representative of a lending institution located in this state. One member shall be a representative of the Iowa student loan liquidity corporation. The other three members, none of whom shall be official board members or trustees of an institution of higher learning or of an association of institutions of higher learning, shall be selected to represent the general public.\*

Sec. 30. Section 261.25, subsections 1, 2, and 3, Code Supplement 1991, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~thirty-two million four hundred eighty thirty-one million one hundred forty-two thousand eight hundred sixty-seven~~ dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~eight hundred thirteen five hundred five thousand eight hundred eighty-two~~ dollars for scholarships.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of one million ~~three hundred fifteen two hundred sixty-one thousand~~ dollars for vocational-technical tuition grants.

Sec. 31. Section 261.38, subsection 7, Code Supplement 1991, is amended to read as follows:

7. The commission may expend funds in the reserve account ~~to~~ and enter into agreements ~~which with the Iowa student loan liquidity corporation in order to increase access for students to a education loan program for guaranteed loans which are not subsidized by the federal government programs that the commission determines meet the education needs of Iowa residents.~~ The agreements shall permit the establishment, funding, and operation of alternative education loan programs, as described in section 144(b)(1)(B) of the Internal Revenue Code of 1986 as amended, as defined in section 422.3, in addition to programs permitted under the federal Higher Education Act of 1965. In accordance with those agreements, the Iowa student loan liquidity corporation may issue bonds, notes, or other obligations to the public and others for the purpose of funding the alternative education loan programs. This authority to issue such bonds, notes, or other obligations shall be in addition to the authority established in the articles of incorporation and bylaws of the Iowa student loan liquidity corporation.

Bonds, notes, or other obligations issued by the Iowa student loan liquidity corporation are not an obligation of this state or any political subdivision of this state within the meaning of any constitutional or statutory debt limitations, but are special obligations of the Iowa student loan liquidity corporation, and the corporation shall not pledge the credit or taxing power of this state or any political subdivision of this state, or make its debts payable out of any of the moneys except those of the corporation.

Sec. 32. Section 261.47, Code 1991, is amended by adding the following new unnumbered paragraph after subsection 4:

\*Item veto; see message at end of the Act

NEW UNNUMBERED PARAGRAPH. Priority for loan reimbursement payments shall be given to eligible nurses who currently practice in an area of the state that is determined by the college student aid commission to demonstrate a nursing shortage, and shall be based upon the nurses' level of educational debt.

Sec. 33. Section 261.85, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~three million eight~~five ~~two million nine hundred~~fifty-eight thousand dollars for the work-study program.

*\*Sec. 34. Section 262.9, subsection 15, Code Supplement 1991, is amended by striking the subsection.\**

Sec. 35. Section 262.9, subsection 24, Code Supplement 1991, is amended to read as follows:

24. By July 1, 1991, develop a policy which requires oral communication competence of persons who provide instruction to students attending institutions under the control of the board. The policy shall include a student evaluation mechanism which requires student evaluation of persons providing instruction ~~at the end of each academic period~~ on at least an annual basis.

*\*Sec. 36. Section 262.9, Code Supplement 1991, is amended by adding the following new subsection:*

NEW SUBSECTION. 27. *Establish a policy by which the institutions of higher education under its control shall charge fees for specific services provided by the institutions to the non-student population.\**

*\*Sec. 37. NEW SECTION. 262.29A LEGAL COUNSEL.*

*The legal counsel to the board and its member institutions shall be an assistant attorney general appointed by the attorney general who shall perform and supervise the legal work of the board. The salary of the assistant shall be fixed by the attorney general, subject to the approval of the board. The attorney general shall appoint additional assistant attorneys general as necessary. The board shall reimburse the attorney general for the salary and necessary expenses for each assistant attorney assigned to the board and upon the request of the attorney general the board shall provide and equip a suitable office and the necessary secretarial assistance to perform these duties.\**

Sec. 38. NEW SECTION. 262.34A BID REQUESTS.

The state board of regents shall request bids and proposals for materials, products, supplies, provisions, and other needed articles to be purchased at public expense, from Iowa state industries as defined in section 246.802, subsection 2, when the articles are available in the requested quantity and at comparable prices and quality.

Sec. 39. NEW SECTION. 262.34B STUDENT FEE COMMITTEE.

1. A student fee committee composed of five students and five university employees shall be established at each of the universities governed by the board as identified in section 262.7, subsections 1 through 3. The five student members of the student fee committee of each university shall be appointed by the recognized student government organization of each university. The five university employees shall be appointed by the president of the university.

2. The student fee committee shall consider any proposed student activity changes at the university and shall make recommendations concerning student activity fee changes to the president of the affected university for review no later than April 15 of the year which includes the subsequent academic period in which the proposed fee change will take effect. The student fee committee shall provide a copy of its recommendations to the recognized student government organizations at each university and those organizations may review the recommendations and provide comment to the president of the university and the state board of

\*Item veto; see message at end of the Act

regents. The president of the university shall transmit the recommendations of the student fee committee and the president's endorsement or recommendation to the state board of regents for consideration. The president of the university shall transmit a copy of the president's endorsement or recommendation to the recognized student government organizations for the university.

3. The state board of regents shall make the final decision on student activity fee changes. The state board of regents shall forward a copy of the committee's recommendations, the president's endorsement or recommendation, the recognized student government organization's comments, and its decision regarding student activity fee changes to the chairpersons and ranking members of the joint education appropriations subcommittee.

4. This section does not apply to fees charged for purposes of acquisition or construction of self-liquidating and revenue-producing buildings and facilities under sections 262.35 through 262.42, 262.44 through 262.53, and 262.55 through 262.66; or acquiring, purchasing, leasing, or constructing buildings and facilities under chapter 262A.

Sec. 40. Section 267.5, subsection 3, Code 1991, is amended to read as follows:

3. Make recommendations to the Iowa State University college of veterinary medicine concerning the application of funds appropriated by this chapter to the college of veterinary medicine. The Iowa State University college of veterinary medicine shall not expend any of the funds appropriated by this chapter until the recommendation of the council concerning that appropriation is adopted or sixty days following the effective date of the appropriation, whichever is earlier.

Sec. 41. Section 275.1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

It is the policy of the state to encourage economical and efficient school districts which will ensure an equal educational opportunity to all children of the state. All areas of the state shall be in school districts maintaining kindergarten and twelve grades. If a school district ceases to maintain kindergarten and twelve grades except as otherwise provided in section 28E.9, 256.13, 280.15, 282.7, subsection 1 or subsections 1 and 3, or 282.8, it shall reorganize within six months or the state board shall attach the school district not maintaining kindergarten and twelve grades to one or more adjacent districts. Voluntary reorganizations under this chapter shall be commenced only if the affected school districts are contiguous or marginally adjacent to one another. A reorganized district shall meet the requirements of section 275.3.

Sec. 42. Section 275.1, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 4. "Marginally adjacent district" or "marginally adjacent territory" means a district or territory which is separated from a second district or territory by property which is part of a third school district which completely surrounds one of the two districts.

Sec. 43. Section 275.4, unnumbered paragraph 2, Code 1991, is amended to read as follows:

In addition, the area education agency board shall consult with the ~~commissioner of public instruction~~ director of the department of education in the development of surveys and plans. The ~~commissioner of public instruction~~ director of the department of education shall provide assistance to the area education agency boards as requested and shall advise the area education agency boards concerning plans of contiguous area education agencies and the reorganization policies adopted by the state board of ~~public instruction~~ education.

Sec. 44. Section 275.11, Code 1991, is amended to read as follows:

275.11 PROPOSALS INVOLVING TWO OR MORE DISTRICTS.

Subject to the approval of the area education agency board, contiguous or marginally adjacent territory located in two or more school districts may be united into a single district in the manner provided in sections 275.12 to 275.22 hereof.

Sec. 45. Section 275.23A, subsection 1, Code 1991, is amended to read as follows:

1. School districts which have directors who represent director districts as provided in section 275.12, subsection 2, paragraphs "b" through "e", shall be divided into director districts

on the basis of population as determined from the most recent federal decennial census. The director districts shall be as nearly equal as practicable to the ideal population for the districts as determined by dividing the number of director districts to be established into the population of the school district. The director districts shall be composed of contiguous or marginally adjacent territory as compact as practicable.

Sec. 46. Section 280A.28, Code 1991, is amended to read as follows:

**280A.28 TAX FOR EQUIPMENT REPLACEMENT AND PROGRAM SHARING.**

1. Annually, the board of directors may certify for levy a tax on taxable property in the merged area at a rate not exceeding three cents per thousand dollars of assessed valuation for equipment replacement for the community college.

2. However, the board of directors may annually certify for levy a tax on taxable property in the merged area at a rate in excess of the three cents per thousand dollars of assessed valuation specified under subsection 1 if the excess tax levied does not cause the total rate certified to exceed a rate of nine cents per thousand dollars of assessed valuation, and the excess revenue generated is used for purposes of program sharing between community colleges. Programs that are shared shall be designed to increase student access to community college programs and to achieve efficiencies in program delivery at the community colleges, including, but not limited to, the programs described under sections 280A.45 and 280A.46. Prior to expenditure of the excess revenues generated under this subsection, the board of directors shall obtain the approval of the director of the department of education.

3. If the board of directors wishes to certify for a levy under subsection 2, the board shall direct the county commissioner of elections to call an election to submit the question of such authorization for the board at a regular or special election. If a majority of those voting on the question at the election favors authorization of the board to make such a levy, the board may certify for a levy as provided under subsection 2 during each of the ten years following the election. If a majority of those voting on the question at the election does not favor authorization of the board to make a levy under subsection 2, the board shall not submit the question to the voters again until twelve months has lapsed from the election.

*\*Sec. 47. Section 280A.50, unnumbered paragraph 1, Code 1991, is amended to read as follows:*

*The department of education shall provide for the establishment of a staff development account in the office of treasurer of state for purposes of providing moneys to community colleges for staff development. There is appropriated from the general fund of the state to the department of education on July 1 of each fiscal year beginning July 1, 1992 1993, for crediting to the staff development account for each budget year an amount equal to an amount which is five-tenths of one percent of the total state general aid generated under chapter 286A for all community colleges during the base year. In the fiscal years succeeding June 30, 1993 1994, an additional five-tenths of one percent shall be added to the percent multiplier, used to determine the appropriation in this section, until that percent multiplier reaches four percent. Once the percent multiplier has reached the four percent level, it shall remain at that level for purposes of calculating the amount to be appropriated in succeeding fiscal years. Moneys appropriated by the general assembly to the department of education for the purpose of the staff development program shall be paid to community colleges upon approval by the department of education of an application submitted by a community college. Funds shall be distributed to a community college based upon the proportion that a college's state general aid paid for the base year bears to the total state general aid paid that year to all community colleges.\**

Sec. 48. Section 286A.14A, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

The department of education shall provide for the establishment of a community college excellence 2000 account in the office of the treasurer of state for deposit of moneys appropriated to the account for purposes of funding quality instructional centers and program and administrative sharing agreements under sections 280A.45 and 280A.46. There is appropriated from

the general fund of the state to the department of education for the fiscal year beginning July 1, 1992 1993, an amount equal to two and five-tenths percent of the total state general aid generated for all community colleges during the budget year under this chapter for deposit in the community college excellence 2000 account. In the next succeeding two fiscal years, the percent multiplier shall be increased in equal increments until the multiplier reaches seven and one-half percent of the total state general aid generated for all community colleges during the budget year.

Sec. 49. Section 294A.25, Code 1991, is amended by adding the following new subsections:

NEW SUBSECTION. 5A. Commencing with the fiscal year beginning July 1, 1992, the amount of three hundred thirty-five thousand dollars from phase III moneys for the support of school transformation pilot projects administered by the department of education. Funds appropriated in this subsection may be used for projects by nonprofit corporations representing a coalition of organizations interested in school improvement in Iowa.

\*NEW SUBSECTION. 6A. Commencing with the fiscal year beginning July 1, 1993, the amount of one hundred fifty thousand dollars, from additional funds transferred from Phase I to Phase III, for support of family resource centers under the family resource center demonstration program.\*

*\*Sec. 50. Section 303.1, subsection 6, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:*

The divisions shall be administered by administrators who shall be appointed by the director and serve at the director's pleasure. However, the administrator of the public broadcasting division shall be appointed by and serve at the pleasure of the public broadcasting board and the. The administrator of the library division shall be appointed by and serve at the pleasure of the library commission. The administrator of the historical division shall be appointed by and serve at the pleasure of the state historical society board of trustees. The administrator of the arts division shall be appointed by and serve at the pleasure of the arts council. The administrators shall serve four-year terms beginning and ending as provided in section 69.19 and are subject to senate confirmation as provided in section 2.32. For purposes of this section, the public broadcasting board, the library commission, the state historical society board of trustees, and the arts council, shall assume the duties and responsibilities of the governor enumerated in section 2.32. The administrators shall.\*

Sec. 51. Section 303.2, subsection 3, paragraph f, Code Supplement 1991, is amended to read as follows:

f. Shall develop in cooperation with the Iowa regional library system an annual a biennial unified plan of service for the Iowa regional library system and its individual members to insure consistency with the state long-range plan division of libraries.

*\*Sec. 52. Section 303.92, subsection 1, Code 1991, is amended to read as follows:*

1. The state library commission consists of one member appointed by the state supreme court and six members appointed by the governor to serve four-year terms beginning and ending as provided in section 69.19. Of the governor's appointees, one member shall be from the medical profession, two members shall be regional library trustees at the time of appointment, and five three members shall be selected at large. Not more than three of the members appointed by the governor shall be of the same gender. The members shall be reimbursed for their actual expenditures necessitated by their official duties. Members may also be eligible for compensation as provided in section 7E.6.\*

Sec. 53. Section 303.92, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The commission shall receive and approve the budget and unified plan of service submitted by the division of libraries.

\*Item veto; see message at end of the Act

**Sec. 54. NEW SECTION. 303B.2A REGIONAL LIBRARY TRUSTEES – NONVOTING MEMBERS.**

In addition to the members of the seven regional boards of library trustees provided in section 303B.2, the director of education shall appoint to each of the seven regional boards of library trustees the following nonvoting members:

1. A representative from an area education agency.
2. A representative who serves as a member on the board of directors for a community college.

The nonvoting members shall serve at the pleasure of the director. The appointed members shall cease to be members if they no longer are employed by an area education agency or no longer serve as a member on a community college board of directors. Sections 303B.3 and 303B.4 do not apply to the appointed nonvoting members of the regional boards of library trustees.

*\*Sec. 55. The department of education shall conduct a study of statewide coordination of information delivery and report the results of the study, along with any recommendations, to the general assembly by January 1, 1994.\**

*\*Sec. 56. DEPARTMENTAL STUDY. The department of education shall conduct a study on dyslexia. The department, in conjunction with the area education agencies and the institutions of higher education governed by the state board of regents, shall appoint a committee to study the methods by which the school districts in this state address dyslexia and related reading disorders. Members to be appointed by the department shall include, but are not limited to, representatives from the department, the area education agencies, and the state board of regents; a school administrator; a regular classroom teacher; a teacher employed under the federal Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, Pub. L. No. 100-297, chapter 1; a representative selected by the Iowa branch of the Orton dyslexia society; a representative selected by the Iowa reading association; a representative selected by the learning disabilities association of Iowa; and a parent of a child with dyslexia or a related reading disorder. The study shall include, but is not limited to, the identification, methods of teaching, and the remediation of persons with dyslexia and related reading disorders. The committee shall report the results of the study, along with any recommendations, to the department of education and the general assembly by January 1, 1994.\**

*\*Sec. 57. TRANSITION. The current administrators of the arts division, the historical division, the library division, and the public broadcasting division of the department of cultural affairs shall continue to serve as administrators of the divisions to which they were appointed until May 1, 1993.\**

**Sec. 58. TRANSFER.** On the effective date of this Act, the budget analyst III employed in the administrative division of the department of cultural affairs, and all of the equipment assigned to that position, shall be transferred to the department of education.

**Sec. 59.** Section 267.8, Code Supplement 1991, is repealed.

**Sec. 60.** Section 275.59, Code 1991, is repealed.

**Sec. 61.** 1991 Iowa Acts, chapter 267, sections 203 and 207, are repealed.

*\*Sec. 62. RETROACTIVE APPLICABILITY. Section 22 of this Act is retroactive to March 10, 1992.\**

**Sec. 63. EFFECTIVE DATES.**

1. Section 13 of this Act takes effect October 1, 1992.
2. Sections 16, 17, and 25 of this Act, being deemed of immediate importance, take effect upon enactment.

*Approved June 3, 1992, except the items which I hereby disapprove and which are designated as Section 8, subsection 1, paragraph b in its entirety; Section 10, subsection 1, paragraph a, unnumbered and unlettered subparagraph 2 in its entirety; Section 22 in its entirety; Section 29 in its entirety; Section 34 in its entirety; Sections 36 and 37 in their entirety; Section 47 in its entirety; that portion of Section 49 which is herein bracketed in ink and initialed by me; Section 50 in its entirety; Section 52 in its entirety; Sections 55, 56, and 57 in their entirety; and Section 62 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.*

TERRY E. BRANSTAD, *Governor*

Dear Madam Secretary:

I hereby transmit House File 2465, an Act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing effective and applicability provisions.

House File 2465 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 8, subsection 1, paragraph b, in its entirety. This section would direct the Higher Education Strategic Planning Council to conduct a study relating to dental hygienists. While I recognize that there is concern about the availability of appropriately trained dental hygienists in the State of Iowa, this study is beyond the Council's scope of responsibilities and insufficient resources are available to conduct the study.

I am unable to approve the item designated as Section 10, subsection 1, paragraph a, unnumbered and unlettered subparagraph 2, in its entirety. This provision would prohibit the Board of Regents from seeking reimbursement from the institutions for activities performed by the Board. The Board should retain the authority to finance critical leadership activities.

I am unable to approve the items designated at Section 22 and Section 62, in their entirety. These provisions would exempt community colleges from the budget adjustment implemented under 1992 Iowa Acts, Senate File 2116, Section 100, subsection 8. This adjustment has already been implemented and it would be inappropriate to reverse this action, because it would require a corresponding adjustment to other agency budgets late in this fiscal year.

I am unable to approve the item designated as Section 29, in its entirety. This provision would add two new student positions to the Iowa College Aid Commission. Because a student representative currently serves as a member of the Commission and because the Commission is committed to strengthening relationships with students and student organizations, I am unable to approve this item.

I am unable to approve the item designated as Section 34, in its entirety. This provision would repeal the authority of the Board of Regents to employ attorneys for the purpose of carrying out collective bargaining and related responsibilities. The Board of Regents should retain this flexibility.

I am unable to approve the item designated as Section 36, in its entirety. This provision would require the Board of Regents to establish a policy requiring the institutions under its control to charge fees for specific services to the nonstudent population. The Board of Regents currently has sufficient authority to establish policies regarding fees.

I am unable to approve the item designated as Section 37, in its entirety. This provision would provide that an Assistant Attorney General, appointed by the Attorney General, would perform and supervise the legal work of the Board of Regents. Currently, the Board of Regents retains legal counsel as needed, and it is not necessary to direct the Attorney General to assign staff to the Board for this purpose.

I am unable to approve the item designated as Section 47, in its entirety. This section is in conflict with Section 22 of Senate File 2351, and therefore should not be approved.

I am unable to approve the designated portion of Section 49. This provision would appropriate \$150,000 for the support of family resource center projects to be implemented in the 1994 fiscal year. Because House File 2467, which establishes the family resource demonstration program, directs the Department of Education to review the cost of these projects, it is premature to appropriate funds at this time.

I am unable to approve the items designated as Section 50 and Section 57, in their entirety. These sections would provide that the administrators of the Historical Division and the Arts Division be appointed by the State Historical Society Board of Trustees and the Arts Council, respectively. Under current law, these administrators are appointed by the Director of the Department of Cultural Affairs. The Director should retain the authority to appoint these administrators, and I am therefore unable to approve these provisions.

I am unable to approve the item designated as Section 52, in its entirety. This provision would change the composition of the State Library Commission. The current makeup of the Commission is appropriate, and I am therefore unable to approve this section.

I am unable to approve the items designated as Section 55 and Section 56, in their entirety. These provisions would require the Department of Education to conduct a study of statewide coordination of information delivery and a study of dyslexia. Because no funds have been appropriated for the studies, I am unable to approve these items.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2465 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, *Governor*

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## CHAPTER 1247

### STATUTORY APPROPRIATIONS AND OTHER BUDGETARY MATTERS

*H.F. 2486*

**AN ACT** relating to certain statutory appropriations made from the general fund of the state and the lottery fund, budgetary revenues and expenditures, and other budgetary matters, for the fiscal year beginning July 1, 1992.

*Be It Enacted by the General Assembly of the State of Iowa:*

#### DIVISION I

*\*Section 1. Section 422.13, subsection 1, paragraphs a and b, Code 1991, are amended to read as follows:*

a. **The individual is required to file a federal income tax return under the Internal Revenue Code.**

b. **The individual has net income of five nine thousand dollars or more for the tax year from sources taxable under this division.\***

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\*Item veto; see message at end of the Act